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EXAMINER

PHAM, KHANH B

ART UNIT PAPER NUMBER

2177

DATE MAILED: 05/11/2004

18

Please find below and/or attached an Office communication concerning this application or proceeding.

27

# Office Action Summary

Application No.

09/710,955

Applicant(s)

ANDERSON ET AL.

Examiner

Khanh B. Pham

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 24-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 24-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Amendment***

1. The amendment filed March 4, 2004 has been entered. Claims 1, 8, 12, 24, and 25 have been amended. Claims 26-27 have been added. Claims 18-23 have been canceled.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. **Claims 1-11 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Bouve et al. (US 5,682,525 A), hereinafter "**Bouve**"; in view of Rennard et al. (US 6,

650,902 B1), hereinafter "**Rennard**"; and further in view of Hancock et al. (US 6,202,023 B1), hereinafter "**Hancock**";

**As per claim 1**, Bouve teaches a method for searching a database in an information retrieval system, comprising the steps of:

- "creating a database for storing at least geographical location information for each of a plurality of items of interest" at Col. 2 lines 14-17;
- "receiving geographical location information corresponding to a location of a user's mobile communications device" at Col. 10 lines 28-42;
- "receiving a search request from the user, and detecting whether the request is to search the database for items of interest located in a vicinity of the geographical location of the user's mobile communication device or of a different geographical location identified by the user" at Col. 10 lines 28-42 ;

Bouve does not explicitly teach: "information regarding the different geographical location is pre-configured by the user at prior time, by orally creating a specified name using the mobile communication device and associating the specified name with the different geographical location while the user is in the different geographical location" as claimed. However, Rennard teaches a similar method for querying a database and providing information services to users based on their geographical location (Col. 2 lines 40-60), wherein: "information regarding the different geographical location is pre-configured by the user at prior time, by orally creating a specified name using the mobile communication device and associating the specified name with the different geographical location while the user is in the different geographical location" at Col. 21

Art Unit: 2177

line 45 to Col. 22 line 9 and Col. 13 line 62 to Col. 14 line 13. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bouve's based on Rennard's teaching in order to provide a safe environment for inputting data and to reduce the number of input by users while using the system. As noted by Rennard, "it is desirable to provide an enhanced operating environment, in which the user is required to supply only reduced number of inputs, while using the navigation system. Thus, where a user is driving, for example, an enhanced operation environment provides important navigational output with minimal user inputs. It is thus desirable that allows a user to input complex information through alternative devices ahead of time" and "allow the user to input information by means of voice entries" (Rennard, Col. 11 lines 5-17).

Bouve and Rennard do not explicitly teach: "generating a search query for items of interest only within a radial distance of the geographical location identified by the user" as claimed. However, Hancock teaches a similar method for querying a database and providing information services to users based on their geographical location (Col. 1 lines 15-20), including the step of: "generating a search query for items of interest only within a radial distance of the geographical location identified by the user" at Col. 29 lines 10-14 and Fig. 17. Thus, it would have been obvious to one of ordinary skilled in the art at the time of the invention was made to modify Bouve and Rennard's based on Hancock's teaching in order to allow user to narrow the search to only the interested area, reduce network bandwidth by eliminating uninterested search results.

**As per claim 2**, Bouve, Rennard and Hancock teach the method of searching a database according to claim 1 as discussed above. Bouve also teaches: "the geographical location of the user's mobile communications device corresponds to the present location of the user's mobile communications device" at Col. 2 lines 32-52.

**As per claim 3**, Bouve, Rennard and Hancock teach the method of claim 2 as discussed above. Hancock also teaches: "the geographical location information of the user's mobile communication device is determined by triangular of control signal strength received at cell towers surrounding the user's communication device" at Col. 3 lines 55-61.

**As per claim 4**, Bouve, Rennard and Hancock teach the method for searching a database according to claim 2 as discussed above. Bouve also teaches: "the geographical location information of the user's mobile communication device is determined by a GPS receiver within the user's communication device" at Col. 10 line 61 to Col. 11 line 1.

**As per claim 5**, Bouve, Rennard and Hancock teach the method for searching a database according to claim 1 as discussed above. Hancock also teaches: "calculating a radial distance surrounding the specified graphical location and searching for items of interest at geographical locations within the calculated radial distance" at Col. 30 lines 10-21.

**As per claim 6**, Bouve, Rennard and Hancock teach the method for searching a database according to claim 1 as discussed above. Rennard also teaches: "the different

geographical location specified by the user is a previous location of the user's mobile communications device" at Col. 21 lines 45-55.

**As per claim 7**, Bouve, Rennard and Hancock teach the method for searching a database according to claim 1 as discussed above. Rennard also teaches: "the different geographical location specified by the user is a location known to the system and is then personalized by the user for a future search as a personalized landmark for a radial search" at Col. 21 line 40 to Col 22 line 8.

**As per claim 8**, Bouve, Rennard and Hancock teach the method for searching a database according to claim 6 as discussed above. Rennard also teaches the steps of:

- "receiving a name specified by the user for the specified geographical location; storing the specified name and corresponding geographical location information as an entry in a locations table" at Col. 21 line 40 to Col 22 line 8;
- "upon receiving a request to search for items of interest in the vicinity of a geographical location specified by name, (i) searching the locations table for the specified name, and (ii) providing the geographical location information corresponding to the specified name in a search query" at Col. 21 line 40 to Col 22 line 8 .

**As per claim 9**, Bouve, Rennard, and Hancock teach the method for searching a database according to claim 8 as discussed above. Rennard also teaches: "digitally encoding an audio speech signal of the specified name, wherein the digitally encoded signal identifies a specific location and is stored in the locations table" at Col. 21 line 40 to Col 22 line 8.

**As per claim 10**, Bouve, Rennard and Hancock teach the method for searching a database according to claim 8 as discussed above. Rennard also teaches: "the user pre-configures the locations table with geographical locations at which the user intends to search" at Col. 21 line 40 to Col 22 line 8.

**As per claim 11**, Bouve, Rennard and Hancock teach the method for searching a database according to claim 8 as discussed above. Rennard also teaches the steps of:

- "requesting a user identification before storing a specified name and corresponding location information in the locations table" at Col. 11 lines 55-67;
- "requesting a user identification before searching the locations table, wherein the specified names and corresponding locations are stored according to the user identification" at Col. 11 lines 55-67 and Col. 21 line 40 to Col 22 line 8.

5. **Claims 12-17 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Bouve (US 5,682,525 A), and in view of Rennard (US 6,615,131 B1).

**As per claim 12**, Bouve teaches an information retrieval system for identifying items of interest located within a vicinity of a user-specified geographical location, comprising:

- "a database records unit for storing a plurality of information about a plurality of items of interest, including a name of each item of interest search, criteria associated with each item of interest, and a corresponding geographical location



for each item of interest, and a corresponding geographical location for each item of interest” at Col. 2 lines 10-31;

- “a geographic locations processor for receiving a geographical location for searching the database records unit” at Col. 11 lines 3-14;
- “a database index for generating a search query including the geographical location” at Col. 2 lines 25-30.

The difference between Bouve’s teaching and the invention of claim 12 is that Bouve does not teach a “ user-defined geographical location being pre-configured by the user at a prior time, by orally creating a specified name using a mobile communication device and associating the specified name with a geographical location while user is in the geographical location” as claimed.

However, Rennard teaches a similar method for identifying items of interest located within a vicinity of a user geographical location (Col. 2 lines 40-60), wherein: “user-defined geographical location being pre-configured by the user at a prior time, by orally creating a specified name using a mobile communication device and associating the specified name with a geographical location while user is in the geographical location” at Col. 21 line 45 to Col. 22 line 9 and Col. 13 line 62 to Col. 14 line 13. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bouve’s based on Rennard ’s teaching in order provide a safe environment for inputting data and to reduce the number of input by users while using the system. As noted by Rennard, “it is desirable to provide an enhanced operating environment, in which the user is required to supply only reduced number of inputs,

Art Unit: 2177

while using the navigation system. Thus, where a user is driving, for example, an enhanced operation environment provides important navigational output with minimal user inputs. It is thus desirable that allows a user to input complex information through alternative devices ahead of time" and "allow the user to input information by means of voice entries" (Rennard, Col. 11 lines 5-17)

**As per claim 13**, Bouve and Rennard teach the information retrieval system according to claim 12 as discussed above. Bouve also teaches: "a question generator table for prompting a user to provide a user defined geographical location for searching the database records unit" at Col. 10 lines 28-42.

**As per claim 14**, Bouve and Rennard teach the information retrieval system according to claim 13 as discussed above. Bouve also teaches: "the question generator table provides digitized audio speech signals as prompts to a user's mobile communications device" at Col. 10 lines 28-42.

**As per claim 15**, Bouve and Rennard teach the information retrieval system according to claim 14 as discussed above. Bouve also teaches: "the information retrieval system digitally encodes responses to the prompts to create the search query in the database index" at Col. 10 lines 28-42.

**As per claim 16**, Bouve and Rennard teach the information retrieval system according to claim 12 as discussed above. Rennard also teaches: "the geographic locations processor processes user-defined location information provided by a users mobile communications device, upon receiving an indication from the user, and

Art Unit: 2177

provides location information to a database index for generating a search query" at Col.

21 line 40 to Col. 22 line 8.

**As per claim 17**, Bouve and Rennard teach the information retrieval system according to claim 16 as discussed above. Rennard also teaches:

- "geographic locations name encoder for receiving and encoding user-specified geographic location names corresponding to geographical location information provided by a user's mobile communication device" at Col. 21 line 40 to Col. 22 line 8;
- "a geographic location database for storing encoded user-specified geographical location names and corresponding geographical location information provided by users for future database searches" at Col. 22 lines 1-8.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 24-27 are rejected under 35 U.S.C. 102(e)** as being anticipated by Rennard et al. (US 6,615,131 B1), hereinafter "Rennard".

**As per claim 24**, Rennard teaches a method for performing a search on an information retrieval system to identify items of interest in a vicinity of a user-defined geographical location (Col. 3 lines 5-65), comprising the steps of:

- “configuring a table of names of geographical locations defined by a user and geographical location corresponding to the names, each name being defined at a prior time, by orally creating the name using the mobile communication device and associating the name with the geographical location while the user is in the geographical location” at Col. 21 line 40 to Col. 22 line 8, and Col. 13 lines 62 to Col. 14 line 30;
- “detecting a request by the user to search for items of interest in a vicinity of a location stored in the table” at Col. 13 lines 22-40;
- “receiving a name of a geographical location” at Col. 13 lines 34-37;
- “searching the table for the named geographical location and the corresponding location information” at Col. 13 lines 40-47;
- “generating a search query for items of interest in the vicinity of the named geographical location” at Col. 13 lines 48-54.

**As per claim 25**, Rennard teaches a method for searching an information retrieval system for items of interest in a vicinity of a user-specified location (Col. 3 lines 5-65), comprising the steps of:

- “detecting a request by a user to search for items of interest in a vicinity of a user-specified location” at Col. 14 lines 45-60;

- “determining whether the user requests to search according to the user’s present location (Col. 15 lines 25-35) or a location stored in a table of locations pre-configured by the user at a prior time, by orally creating a specified name using the mobile communication device and associating the specified name with a geographical location while the user is in the geographical location” at Col. 21 line 45 to Col. 22 line 8 and Col. 13 line 60 to Col. 14 line 40;
- “if the user request is to search according to the present location, requesting location information from a network carrier for the user’s mobile communications device” at Col. 15 lines 25-35;
- “if the user request is to search according to geographical location information provided in the pre-configured table of locations, requesting location information from the pre-configured table of locations” at Col. 13 lines 32-40;
- “generating a search query using the provided geographical location information” at Col. 13 lines 40-55.

**As per claim 26**, Rennard teaches the method according to claim 24 as discussed above. Rennard also teaches: “each geographical location is a previous location of a user’s mobile’s communication device” at Col. 21 lines 45-55.

**As per claim 27**, Rennard teach the method according to claim 25 as discussed above, wherein: “the geographical location is a previous location of a user’s mobile communication device” at Col. 21 lines 45-55”.

***Response to Arguments***

8. Applicant's arguments filed March 4, 2004 with respect to claims 1-17, and 24-27 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (703) 308-7299. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khanh B. Pham  
Examiner  
Art Unit 2177

KBP  
May 4, 2004

  
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PRIMARY EXAMINER